

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MELISSA CHINN, D.O.,

Plaintiff,

v.

WHIDBEY PUBLIC HOSPITAL
DISTRICT, d/b/a WHIDBEY
HEALTH MEDICAL CENTER,

Defendant.

C20-995 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiff's motion to compel discovery responses and deposition testimony beyond discovery cutoff, docket no. 23, is GRANTED¹ in part as follows:

(a) With respect to Interrogatory No. 6 and Request for Production E, defendant shall produce to plaintiff within twenty-one (21) days of the date of this Minute Order the following materials: any summary of findings or notes created by Cindy Paget relating to plaintiff and plaintiff's termination. To the extent no responsive information or documents exist, defendant is DIRECTED to indicate such in its responses.

¹ The Court held oral argument on plaintiff's motion to compel discovery responses and deposition testimony, docket no. 23, on September 15, 2021. This Minute Order confirms the Court's ruling on the record.

1 (b) With respect to Interrogatory No. 8 and Request for Production L,
2 defendant shall produce to plaintiff within twenty-one (21) days of the date of this
3 Minute Order the following materials: any responsive records documenting
4 Dr. Christina Klemme's conversations with defendant concerning Dr. Klemme's
5 belief she was being treated differently than her male counterparts prior to
6 plaintiff's termination. To the extent no responsive information or documents
7 exist, defendant is DIRECTED to indicate such in its responses.

8 (c) With respect to Interrogatory No. 9 and Requests for Production M
9 and N, defendant shall produce to plaintiff within twenty-one (21) days of the date
10 of this Minute Order the following materials: (1) any reports related to
11 defendant's investigation into Dr. Nathan Tillotson's alleged unsafe medical
12 practices as reported by plaintiff, and (2) any records documenting plaintiff's
13 report to defendant that more surgeries were directed to plaintiff's male
14 counterparts. To the extent no responsive information or documents exist,
15 defendant is DIRECTED to indicate such in its responses.

16 (d) With respect to Interrogatory No. 11 and Request for Production P,
17 defendant shall produce to plaintiff within twenty-one (21) days of the date of this
18 Minute Order the following: the Medical Group Management Association
19 ("MGMA") Guide.

20 (e) With respect to Request for Production T, defendant shall produce to
21 plaintiff within twenty-one (21) days of the date of this Minute Order the
22 following materials: any notes or written records created by Cindy Paget, Colleen
23 Clark, and/or Connie Lippo referencing an October 2018 meeting concerning
complaints which referred or related to plaintiff. To the extent no responsive
information or documents exist, defendant is DIRECTED to indicate such in its
responses.

(f) The Court finds good cause to extend the discovery cutoff, *see*
LCR 16(b)(6), for plaintiff to conduct the following depositions: (1) Dr. James
Giem, (2) Ron Telles, (3) Dr. Nathan Tillotson, (4) Lisa Sanford, and
(5) defendant's Fed. R. Civ. P. 30(b)(6) designee. Depositions of the witnesses
shall be taken by the parties prior to October 15, 2021.

(g) Plaintiff is AWARDED attorneys' fees and costs in connection with
its motion to compel discovery in the amount of \$1,000. *See* Fed. R. Civ. P.
37(a)(5). Within ten (10) days of the date of this Minute Order, defendant shall
remit this sum by check made payable to the law firm of Schroeter Goldmark &
Bender.

(h) Except as GRANTED, plaintiff's motion to compel is DENIED.

1 (i) The deadline to file dispositive motions is EXTENDED to
2 October 21, 2021.

3 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
4 record.

5 Dated this 15th day of September, 2021.

6 Ravi Subramanian
7 Clerk

8 s/Gail Glass
9 Deputy Clerk